

IN THE CIRCUIT COURT OF WETZEL COUNTY, WEST VIRGINIA  
BUSINESS COURT DIVISION

MARKWEST LIBERTY MIDSTREAM &  
RESOURCES, L.L.C.,

Plaintiff,

v.

Civil Action No. 16-C-82  
(Judge Carl)

J.F. ALLEN COMPANY; AMEC FOSTER  
WHEELER ENVIRONMENT & INFRASTRUCTURE,  
INC.; REDSTONE INTERNATIONAL, INC.; CIVIL  
& ENVIRONMENTAL CONSULTANTS, INC.; and  
COASTAL DRILLING EAST, LLC,

Defendant,

v.

THE LANE CONSTRUCTION CORPORATION,

Third Party Defendant.

**ORDER FOR TELEPHONIC HEARING HELD ON FEBRUARY 13, 2020**

On February 13, 2020, this matter came before the Court for a telephonic hearing for purposes of a status conference, all of which is of record. The following appeared telephonically: Jason L. Richey and Jonathan G. Brill, counsel for MarkWest Liberty Midstream & Resources, LLC; Douglas C. LaSota, counsel for J.F. Allen Company; Vic L. McConnell, counsel for Amec Foster Wheeler Environment & Infrastructure, Inc.; Bruce E. Stanley and Michael A. Jacks, counsel for Redstone International, Inc.; Stephen F. Gandy, counsel for Coastal Drilling East, LLC; Damon R. Thomas, counsel for of Civil & Environmental Consultants, Inc.; and Traci L. Wiley, counsel Lane Construction Corporation.

The Court proceeded to note the report of the business court mediator indicating that the matter had not been resolved. Despite the lack of resolution, the Court noted the parties' interest

in a three-judge panel arbitration. The Court inquired of the parties' interest in arbitration, and all indicated a willingness to explore the possibility further.

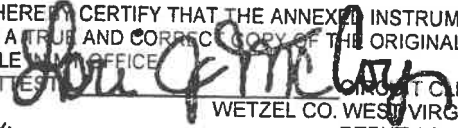
Based thereon, the Court ORDERS and ADJUDGES that counsel for the parties shall convene a conference to determine whether the parties are agreeable to a three-judge panel arbitration and, further, the rules for such presentation. The parties shall report to this Court not later than March 16, 2020, whether the parties have reached an agreement upon an arbitration instead of a trial by jury or trial by the Court. The Court FURTHER ORDERS and ADJUDGES that this matter shall come before the Court on April 10, 2020, at the hour of 10:00 a.m. for a status hearing; the hearing will be held in Judge Phillip D. Gaujot's Courtroom in the Monongalia County Judicial Center, Morgantown, West Virginia 26505. All other dates and deadlines not modified herein shall remain in place.

Nothing further to be done, this matter is continued as aforesaid.

Entered on February 27, 2020.

ENTER:

  
JUDGE H. CHARLES CARL, III,  
West Virginia Business Court Division

I HEREBY CERTIFY THAT THE ANNEXED INSTRUMENT  
IS A TRUE AND CORRECT COPY OF THE ORIGINAL ON  
FILE IN MY OFFICE  
ATTEST   
BY: \_\_\_\_\_ DEPUTY CLERK  
WETZEL CO. WEST VIRGINIA